

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

30th Legislative Day

April 24, 2001

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by the Reverend Homer Hanshaw, Elliott Avenue Baptist Church, Springfield, Illinois. Reverend Hanshaw.

THE REVEREND HOMER HANSHAW:

(Prayer by the Reverend Homer Hanshaw)

PRESIDENT PHILIP:

...remain standing for the Pledge of Allegiance. Senator Radogno. I'm -- I'm sorry. ...Burzynski.

SENATOR BURZYNSKI:

(Pledge of Allegiance, led by Senator Burzynski)

PRESIDENT PHILIP:

I normally look up before I announce who's doing the Pledge and I blew it. Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Thursday, April 19th, 2001.

PRESIDENT PHILIP:

Senator Jones.

SENATOR W. JONES:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Jones moves to approve the Journal just read. There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Robert Madigan, Chair of the Committee on Insurance and Pensions, reports House Bills 153, 181, 800, 1901, 2554, 2556 and 3004 Do Pass; and House Bill 2994 Do Pass, as Amended.

And Senator Syverson, Chair of the Committee on Public Health

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and Welfare, reports House Bills 25, 2438, 3125, 3172 and 3199 Do Pass.

PRESIDENT PHILIP:

Messages.

SECRETARY HARRY:

A Message from the Secretary of State, Jesse White, dedicated -- or, dated April 20th 2001. To the Honorable Members of the Illinois State Senate, 92nd General Assembly:

Dear Senators - Mr. Monroe Flinn's appointment to the Merit Commission for the Office of Secretary of State expires on June 30th, 2001. I would like to renominate Monroe Flinn to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 113, offered by Senator Lauzen and all Members.

It's a death resolution, Mr. President.

PRESIDENT PHILIP:

Consent Calendar.

SECRETARY HARRY:

Senate Joint Resolution 26, offered by Senator Rauschenberger. It's substantive.

PRESIDENT PHILIP:

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 175, offered by Senator Noland.

(Secretary reads title of bill)

House Bill 185, offered by Senator Luechtefeld.

(Secretary reads title of bill)

House Bill 539, offered by Senator Rauschenberger.

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(Secretary reads title of bill)

House Bill 1081, offered by Senator Karpziel.

(Secretary reads title of bill)

House Bill 1094, offered by Senators Myers and Clayborne.

(Secretary reads title of bill)

House Bill 1732, offered by Senator Noland.

(Secretary reads title of bill)

House Bill 1904, offered by Senator Molaro.

(Secretary reads title of bill)

House Bill 2025, offered by Senator Peterson.

(Secretary reads title of bill)

House Bill 2376, offered by Senator Mahar.

(Secretary reads title of bill)

House Bill 2523, offered by Senator Lisa Madigan.

(Secretary reads title of bill)

House Bill 3078, offered by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 3123, offered by Senator Noland.

(Secretary reads title of bill)

House Bill 3288, offered by Senator Peterson.

(Secretary reads title of bill)

House Bill 3292, offered by Senator Peterson.

(Secretary reads title of bill)

House Bill 3347, offered by Senator Rauschenberger.

(Secretary reads title of bill)

And House Bill 3373, offered by Senator Mahar.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT PHILIP:

Now, could I have your attention? On the top of page 3 in today's Calendar, on the Order of Senate Bills 2nd Reading, the intent is to proceed to the order for the purpose of taking up the

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appropriation bills. Senate Bill 1354. Senator Rauschenberger.  
Senator... Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1354.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1357. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1357.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1358. Senator Rauschenberger.  
Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1358.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1359. Senator Rauschenberger. Read  
the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1359.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1360. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1360.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

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PRESIDENT PHILIP:

3rd Reading. Senate Bill 1361. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1361.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

Senate Bill 1368 -- 3rd Reading. Senate Bill 1368. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1368.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1369. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1369.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1370. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1370.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1371. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 1371.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1372. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1372.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1373. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1373.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Top of page 4. Senate Bill 1379. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1379.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1380. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1380.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

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3rd Reading. Senate Bill 1381. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1381.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1382. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1382.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Top of page 13. House Bills 2nd Reading. House Bill 180. Senator Dudycz. House Bill 180. Senator Dudycz. Take it out of the record. House Bill 1972. Senator Sieben. Senator Sieben. Take it out of the record. House Bill 2380. Senator O'Malley. Senator O'Malley. Take it out of the record. House Bill 2528. Senator Luechtefeld. Senator Luechtefeld. Take it out of the record. House Bill 3145. Senator Donahue. Senator Donahue. Take it out of the record.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We're going to go to the Order of House Bills 3rd Reading on page 11. If I may have the attention of this astute Body, we are going to start with page 11, bottom of the page, House Bills 3rd Reading. So if we can have your attention, please. Thank you, Ladies and Gentlemen of the Senate. Can you hear me? I'll repeat: We are going to start with House Bills 3rd Reading on the bottom of page 11, in your Calendar. I believe, you've heard me by now. Thank you. House Bill 10. Could we have a little more attention? If you're going to speak to each other, please do it in very

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hushed voices so that I don't hear you here, please. House Bill 10. Senator Lauzen? Out of the record. House Bill 123. Senator Dillard? Senator Dillard? Out of the record. House Bill 126. Senator Dillard? House Bill 148. Senator Myers? Senator Myers? Out of the record. House Bill 260. Senator Rauschenberger. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 260, offered by Senator Rauschenberger.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any House -- any Floor amendments? Senator Rauschenberger, to explain the bill.

SENATOR RAUSCHENBERGER:

This -- good afternoon, Madam President, Ladies and Gentlemen of the Senate. House Bill 260 requires Illinois State higher education institutions to annually report on the tuition waivers that they grant and the programmatic rules that govern their granting. It requires that report to the State Board of Education {sic} (Board of Higher Education) and dissemination to the General Assembly. It's a good bill asking higher education to be very careful and -- and accountable on their use of waiver of tuition. I'd appreciate favorable roll call.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any -- any further discussion? If not, Senator Rauschenberger, to close? The question is, shall -- shall House Bill 260 pass. Those in favor will vote Aye. Those opposed, vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. And this -- this bill, having received the required constitutional majority, is hereby declared



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passed. House Bill 846. Senator Parker? Out of the record.

House Bill 857. Senator Munoz? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 857.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Madam President, Members of the Senate. House Bill 857 amends the Controlled Substance and Cannabis Nuisance Act. Basically, the bill -- it just limits the time an owner has to comply with the State's Attorney's recommendations on how to abate a nuisance complaint under this Section. The owner would have sixty days from the time they or their agent appeared before the State's Attorney. After the sixty days, the State's Attorney may proceed to file the complaint.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall House Bill 857 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. House Bill 915. Senator Dillard? Out of the record. House Bill 1054. Senator Sieben? I'm sorry -- 1854. Out of the record. House Bill 1908. Senator Dillard? Out of the record. House Bill 1957. Senator Myers? Out of the record. House Bill 2143. Senator Sieben. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 2143.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

May we please have a little -- a little more order in this great house? Ladies and Gentlemen of the Senate, we're on final action. Please give your undivided attention. Senator Sieben.

SENATOR SIEBEN:

Well, thank you very much, Madam President. This legislation amends the School Code and allows area vocational centers to apply for and be eligible to receive any school maintenance grants, federal or State technology grants, or other competitive grants administered by the State Board of Education that is available for school districts. Represents agreed language. I know of no opposition and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall House Bill 2143 pass. Those in favor, vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On that question, there are 54 voting Aye, none voting Nay, none voting Present. And this bill, having received the required constitutional majority, is declared passed. House Bill 2161. Senator Demuzio? House Bill 2218. Senator Parker? House Bill 2314. Senator Munoz? Read the bill, Madam Secretary. May we please have a little order in this house?

ACTING SECRETARY HAWKER:

House Bill 2314.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Munoz.

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SENATOR MUNOZ:

Thank you, Madam President, Members of the Senate. House Bill 2314 amends the Criminal Code of 1961 regarding forfeiture of vessels, vehicles and aircraft. Provides the seizure and forfeiture of vessels, vehicles and aircraft used in the commission of certain firearms and deadly weapons offenses and used in the commission of certain offenses resulting in great bodily harm, severe and permanent disability, or disfigurement. The vehicle's owner must have had knowledge of the use and has consented to its use in the commission of the offense or the attempt to commit the offense. There's no known -- no known opposition that I know of, and I'll be willing to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall House Bill 2314 pass. All those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record, Madam Secretary. On that question, there are 54 voting Aye, none voting Nay, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. House Bill... Senator Bomke, for what purpose do you rise, sir?

SENATOR BOMKE:

Thank you, Madam President. I'd just like the record to reflect that Senator Myers is not here today due to illness.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. Senator Demuzio.

SENATOR DEMUZIO:

Also, I would like the record to reflect that Senator Lightford is not here either today. She's ill.

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The record will so reflect -- be so reflected. Resolutions.

SECRETARY HARRY:

Senate Resolution 114, offered by Senator Hawkinson and all Members -- Senators Hawkinson and Shadid and all Members.

And Senate Resolution 115, by Senator Lauzen and all Members. They're both death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Consent Calendar. Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

Yes, Madam President. Senator Halvorson and a number of other Members have filed a motion with respect to House Bill 2236.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. Secretary, the Chair requests that these motions be printed on the Calendar. So ordered. Any further business to come before this Senate? If not, Senator Klemm moves the Senate stand adjourned until the hour of noon, Wednesday, April 25, 2001. I repeat: The Senate stands adjourned until the hour of noon, Wednesday, April 25, 2001. 12 o'clock noon, Wednesday, the 25th of April.